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SUBJECT: FRAUD SUMMARY: ISLAMABAD

REF: 09 STATE 057623

Country Conditions

11. Pakistan Fraud Summary: Pakistan is considered a "high" fraud country. Fraud of every kind is pervasive at all levels of government and commercial sectors. Fraud surfaces in many different forms, including washed U.S. visas of good to excellent quality; forged documents such as post-secondary educational certificates and credentials; employment verification letters; false family relationships with cousins posing as offspring; fictitious engagements, marriages, and divorces; false identity; multiple identities; erroneous employment histories; and false and misleading relationships intended for the sole purpose of gaining the benefits of U.S. immigration. Genuine official documents can be easily obtained through fraudulent means which contributes to the difficulty in identifying, abating, or eliminating fraud in both the immigrant and non-immigrant visa processing.

12. Pakistan, traditionally considered an impoverished and underdeveloped country, has suffered from decades of internal political disputes, low levels of foreign investment, an ongoing low-level confrontation with neighboring India and, more recently, an insurgency led by al-Qaeda and the Taliban in the tribal areas bordering Afghanistan. Inflation remains the top concern among the public, although it has dropped to around 10% after hovering well over 20% in 2008 and early 2009 in response to high world fuel and commodity prices. In addition, the Pakistani rupee has depreciated significantly as a result of political and economic instability. Close to 70 percent of Pakistanis live on two dollars a day or less.

13. Due to the security situation at post, the Fraud Prevention Manager (FPM) usually does not accompany Fraud Prevention Unit Locally-engaged staff, aka Fraud Analysts (FAs), on site visits. Due to this unique situation, FPU attempts to resolve cases from the office as much as possible. This involves using Lexis-Nexis Accurant checks and extended fraud interviews with beneficiaries as well as petitioners. Whenever site visits are necessary, FAs take written statements, and photographs. For their own security, FAs do not use their real names when interacting with the public and, like FSNs throughout the section, use aliases.

NIV Fraud

14. C1/D crew visas - Widespread fraud in the international shipping industry in Pakistan prompted the Consular Section in Islamabad to more closely scrutinize the applications for crew/seaman visas. As a result, Post instituted the requirement that all manning agencies must provide an original letter with details of the applicant, the manning agency, and the hiring ship line. Shipping companies are also required to submit direct e-mail or phone verification of the identity of the C1/D applicant.

15. H1-B temporary worker visas - Post has seen an increase in the

number of H and L visa applicants especially in the IT and telecommunications industry. Temporary worker fraud has consequently also increased. FPU primarily reviews educational transcripts, contract letters, and professional certificates associated with temporary worker visas. Thanks to H and L Funding, FPU implemented a program to authenticate all degrees for H1-B and L1 applicants. Authenticating diplomas and transcripts with universities in Pakistan is difficult because the diplomas are often obtained fraudulently from university employees. By contracting with the Pakistani Higher Education Commission (HEC), all diplomas will be authenticated by the Federal Government of Pakistan. HEC has already resulted in the refusal and eventual recommendation for revocation of H1B visa petitions and a possible lead into an investigation of a fraudulent H1B company petitioner. FPU works with line officers, DHS, and KCC FPU to file the appropriate revocation reports.

¶16. There are document vendors in many places selling fraudulent job letters, degrees, invitation letters, fake US visas, and coaching applicants to provide fraudulent answers for the NIV interview. Post has noted a larger amount of documents from certain vendors located in the city of Lahore and is working with local Pakistani authorities to apprehend some of these Lahore vendors. Through CCD text-searches, catches by US Customs and Border Patrol, and old-fashioned interviewing, Post has learned that applicants sometimes pay up to USD 20,000 for a set of NIV-supporting documents.

IV Fraud

¶17. The biggest fraud challenges continue to be in IVs with marriage fraud. The typical marriage fraud pattern is: A Pakistani man obtains an NIV, leaves his wife and children and goes to the U.S. where he marries an American woman. The Pakistani man presents either a divorce decree or death certificate for the Pakistani wife thereby allowing him to re-marry. As the step-parent, the Amcit wife then files IV petitions for the husband's children. Approximately 85 percent of the step-parent petitioner IV cases referred to FPU are found fraudulent through field investigations.

¶18. Marriages arranged by the family are common, so it is typical in a bona fide spousal relationship for a petitioner and beneficiary to be first cousins, to have first met in person the same day as their wedding ceremony, and to have little or no knowledge about each other. Unfortunately, fraudulent relationships share many of the same characteristics. Therefore, FPU Islamabad is more effective when uncovering IV fraud if either party was previously married but FPU discovers that the petitioner or beneficiary maintains an ongoing spouse-like relationship with his/her 'former' spouse.

¶19. In verifying divorces, it is important to note that in Pakistan, the divorced woman must leave her ex-husband's home and rarely if ever is granted formal custody or even visitation of the children. The woman must break all ties to the ex-husband and his family including relationships with in-laws and extended relatives. In the majority of our field investigations of divorce cases, we discover that the purported 'former' wife is still living in the husband's home, is being financially supported by him, is taking care of the children, and by all appearances, is still married. Through neighborhood interviews, it is revealed that when the husband visits from the U.S., he stays with the wife in the family home and, in fact, still has a spouse-like relationship.

¶110. Marriages and divorces with the intent of immigration are colloquially referred to as "paper marriages" or "paper divorces" and it is understood (at least by the beneficiaries) that the ultimate goal is immigration. We have often found that the left-behind Pakistani wife is totally unaware that she has been divorced (or claimed dead) and her husband has married an American citizen.

¶111. Another type of marriage fraud seen frequently in Pakistan occurs in K1, F2B, and F1 cases, where applicants declare that they are not married when, in fact, they are. Due to the lack of a centralized record system in Pakistan, it is extremely difficult to investigate these cases. If an extended fraud interview does not

result in a confession, then neighborhood checks are required to direct us to the local government records office that issued the marriage certificate. Approximately fifty percent of F2B investigations have resulted in confirmed fraud.

DV Visa Fraud

¶12. Pakistan no longer qualifies for the Diversity Visa program. However, Post does administer the DV program for Afghanistan and interviews a small number of other third country nationals. The FPU has been involved in determining eligibility of DV applicants particularly in verifying educational and professional certifications that DV applicants use to show completion of secondary studies. Afghan applicants present a particular challenge because of the near complete breakdown in bureaucratic record keeping over the past thirty years as well as the security situation in Afghanistan. Additionally, many Afghan applicants have spent many years in Pakistan as refugees, without obtaining citizenship rights from Pakistan. FPU has been able to develop relationships with officials in Peshawar and other border areas that have made DV eligibility easier to determine.

ACS and Passport Fraud

¶13. A range of fraud indicators are still active in Pakistan affecting requests for reports of birth abroad, U.S. passport, and repatriation. FPU conducts field checks for ACS, but it remains the responsibility of the individual seeking assistance to provide convincing and sufficient evidence of his/her entitlements.

¶14. Post is not able to rely solely upon Pakistani hospital records, government-issued birth certificates, or private attestations and affidavits. Such documents are not routinely issued at the time of the event and may be easily purchased for a fee. Recently, FPU uncovered a fraudulent hospital record where although an authentic hospital certificate was issued and the subject's name was found in the hospital logbook, there was no corresponding record in the hospital registry. In this particular case, it was discovered that the child, in fact, was born at another hospital before the Amcit parent's naturalization.

¶15. In addition, Post does not rely on entry/exit stamps in passports as proof of physical presence because fraudulent stamps can be easily purchased or reproduced in Pakistan. Post also has seen a trend of fraudulent birth certificates for several purposes, such as: a child born before a parent obtained citizenship, a nephew/niece passed off as a child, or a child born 12-15 months from the time the father last saw the mother.

Adoption Fraud

¶16. Adoption does not exist in Pakistan law. A court may grant Guardianship; however this is different from an adoption for many reasons, including the fact that the legal relationship only exists as long as the child is a minor. Post frequently sees "Adoption Decrees" issued on rupee paper (a yellow legal sized paper with an intricate design at the top). These are not legal documents and can be purchased anywhere in the country. Therefore, post does not issue IR3 visas.

¶17. Post does issue IR4 Orphan visas. Due to the lack of any centralized record system, it is almost impossible to determine if a child meets the definition of an orphan. Children are usually reported to have been abandoned at hospitals or at the local orphanage. Neither is willing to release any information about the parent who left the child, even if they are aware of it.

Use of DNA Testing

¶18. Post notes recent cable 09 State 097431, Changes to DNA Relationship Testing Procedures and is adhering to the procedures outlined. Post does DNA verification of approximately four immigrant visa cases a week.

Asylum and Other DHS Benefits

¶19. When they were still present at post, USCIS handled the adjudication of visas 92/93, other asylum claims, and follow-to-join cases. Islamabad's IV unit has taken over these responsibilities. Before, USCIS reported significant requests for document verification and relationship fraud consistent with fraud reported with IV applicants. Islamabad's IV unit has seen no change.

Alien Smuggling, Trafficking, Organized Crime, Terrorist Travel

¶20. As traditional alien smuggling routes through Western Europe are closing, Pakistanis are seeking to take advantage of lax immigration controls to open new routes through Eastern Europe, Central Asia, Thailand, and the United Arab Emirates. Post and other foreign missions, notably the British, have seen cases of boarding card swapping through Dubai, Bangkok, Kuwait, Jeddah, Singapore, Taipei, and elsewhere.

¶21. Afghans, Chinese, Bangladeshis and other nationalities continue to rely on Pakistani expertise in immigrant smuggling and document forgery. Most of the illegal aliens being brought into and out of Pakistan by smuggling rings have the United States or the United Kingdom as their final destination. Alien smuggling to these countries transiting Mozambique and South Africa appears to be on the rise.

¶22. At the airport, Immigration officers of Pakistan's Federal Investigation Agency (FIA) are bribed regularly to stamp fake exit and entry stamps in passports. Passport-issuing offices in Pakistan are unable to verify supporting documents to a claimed identity. FIA is aware of the problem yet finds itself at a loss to garner adequate governmental support and resources to crack down on and strike an effective blow at fraud and misrepresentation associated with human smuggling and trafficking in persons.

DS Criminal Fraud Investigations

¶23. Post's A/RSO-I has had some success in liaising with the Pakistani Federal Investigation Agency (FIA). This resulted in a number of local arrests of applicants determined to have counterfeit Pakistani identity documents. However, in some cases in which Post presented FIA with evidence of confirmed document and/or identity fraud by a visa applicant, Post later encountered the applicant submitting a different visa application and/or using a different identity. The applicants informed Post that they had simply bribed FIA to escape any possible criminal convictions that may have resulted from their first visa application. Despite these disheartening facts, the A/RSO-I and FPM continues to work with FIA as it is the only available party with authority Post can turn to for local law enforcement.

Host Country ID Records

¶24. Pakistan has implemented a National Database and Registration Authority (NADRA), which maintains a centralized computer system. NADRA issues the Computerized National Identity Cards (CNIC) which is the primary form of national identification for Pakistani citizens. They also issue birth certificates and are expanding into death, marriage and divorce certificates. While NADRA documents are more difficult to counterfeit, they are created at the local Union Councils and a person only needs an easily obtained local government document in order to be issued a NADRA document. It will also take several generations before most Pakistanis will have these documents.

¶25. The CNIC is known to be susceptible to counterfeiting. It was discovered that a Swiss-based competitor to the company which supplied the printing technology to NADRA either produced or supplied the technology to produce the counterfeit NADRA card used by one of the terrorists of the 03Mar2009 attack on the Sri Lankan Cricket team in Lahore, Pakistan.

Cooperation with Host Government

¶26. Pakistani officials realize the importance of fraud prevention and have taken significant public steps in the last five years to improve the integrity of their own documents. Officials in the Foreign and Interior Ministries have usually been cooperative when approached by Post, especially when fraud is detected involving Pakistani documents. Most relationship based documents are issued by local government authorities (Union Councils and Union Council Secretaries). Verification is difficult because there is little oversight of these authorities, record keeping is done manually or not at all, and all verifications must be done in person. In some cases, the Secretaries of the Union Councils have been outright uncooperative. FPU has had a few cases in which beneficiary claimed to be married, a check with the Secretary of an Union Council seemingly confirmed the claim, but a further check with the supervisor of the Union Council Secretary (the designated Additional Director Local Government (ADLG)) revealed that, in fact, there was no such record and that the Secretary of the Union Council was bribed, is a close relative of beneficiary, or both.

¶27. FPU works closely with the High Commissions of Australia, Britain Canada, and South Africa, holding quarterly meetings of fraud officers to exchange information. In addition, monthly meetings are held between fraud officers in most Embassies to discuss fraud trends in the region. These meetings have afforded our LES, FPM and RSO the opportunity to make important contacts from other diplomatic missions and to compare and contrast fraud trends and techniques which are specific to each mission.

Areas of Particular Concern

¶28. Given the poverty-stricken conditions of many families purportedly "abandoning" orphans and the amount of fees many American families pay for the service, FPU recognizes the potential for baby-selling in Pakistan. Furthermore, Post has seen an unprecedented growth in IR-4 Orphan cases and will immediately develop strategies to determine if baby-selling is occurring and if so, to deter it. FPU Pakistan has reached out to other posts with similar concerns and will be developing strategies to discover and combat such fraud. ACS and FPU have been and will be meeting with local individuals involved with the adoption process. FPU has already asked for and received guidance on adoption investigations from FPU Ho Chi Minh City.

¶29. H1Bs continue to be an area of particular concern. H and L funding has been approved for exchanges to ConGen Chennai. FPU Islamabad hopes to send most, if not all, of its staff to ConGen Chennai to learn from Chennai's impressive FPU operations.

¶30. In addition to the immigration concern associated with typical FPUs, FPU Islamabad has an unforeseen security role. Islamabad FPU receives at least 15 informant letters, emails, or calls a week alleging particular applicants to be associated with terrorist organizations. The vast majority of these "poison pens" can be dismissed with no credible information to build an investigation from and/or no informant's contact information for FPU to inquire further with. However, FPU does take each possible informant seriously and checks with the appropriate counterparts at post regarding any possible threat. Any case with a credible security concern has been passed to the A/RSO-I.

Staffing and Training

¶31. FPU has been integrating Accurint into its FPU processing. Although Accurint is a powerful tool, officers and locally engaged staff alike were not familiar with what manner of information Accurint provides. With minimal time spent in educating staff, Accurint is now a routine tool referred to by line officers and FAs cutting down significantly the number of cases requiring site visits.

¶32. Staff and Training. Names of locally engaged staff Fraud Analysts can be requested as well as any other inquiries can be sent via email to the Unit's group email at IslamabadFPU@state.gov

Fraud Prevention Manager: Frank Tu
Fraud Prevention Manager Course, June 2009

Senior Locally Engaged Staff (LES) Fraud Analyst
FSN Anti Fraud Course, November 1999
Supervisory Skills Workshop, April 2000
FSN Fraud Prevention Course, November 2003

Fraud LES Analyst
FSN Fraud Prevention Course, November 2005

Fraud LES Fraud Analyst
Enrolled for the FSN Fraud Prevention Course, November 2009

Fraud Prevention Assistant and Office Assistant

PATTERSON